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BEFORE THE ARIZONA CORPORATION COMMISSION

BOB STUMP

Chairman

GARY PIERCE

Commissioner

BRENDA BURNS

Commissioner

BOB BURNS

Commissioner

SUSAN BITTER SMITH

Commissioner

Arizona Corporation Commission

DOCKETED

DEC 18 2014

DOCKETED BY

IN THE MATTER OF PEERLESS
NETWORK OF ARIZONA, LLC FOR
APPROVAL OF RESCISSION OF THEIR
BOND.

DOCKET NO. T-20590A-14-0358

DECISION NO. 74857

ORDER

Open Meeting
December 11 and 12, 2014
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. On October 2, 2014, Peerless Network of Arizona, LLC ("Peerless" or "Applicant") submitted an Application requesting rescission of the \$225,000 performance bond requirement contained in Decision No. 70976.

Background

2. On May 5, 2009, in Decision No. 70976, the Arizona Corporation Commission ("Commission") ordered Peerless to procure a performance bond or irrevocable sight draft letter of credit ("ISDLOC") equal to \$225,000. On September 29, 2009, Peerless docketed a notice that it had delivered three original performance bonds, one in the amount of \$25,000 and two in the amount of \$100,000 each, for a total of \$225,000, to the Commission's Business Office. On March 30, 2010, Peerless docketed a notice that the two \$100,000 bonds it previously stated had been delivered to the Commission's Business Office were in fact copies of those bonds. The filing went on to confirm that the mistake had been rectified and the two original \$100,000 bonds had now been delivered to the

1 Commission's Business Office. Utilities Division Staff ("Staff") has confirmed the Business Office is
2 in possession of all three bonds totaling \$225,000.

3 **Compliance**

4 3. According to the Corporations Division, Peerless is in good standing. The Compliance
5 Section of the Utilities Division reports that Peerless is currently in compliance. The Consumer
6 Services Section of the Utilities Division reports there have been no complaints or opinions about
7 Peerless for the period of January 1, 2011 to October 14, 2014.

8 **Staff Recommendations**

9 4. The Commission has, in appropriate circumstances, relieved telecommunications
10 providers of the obligation to maintain a performance bond or ISDLOC. Staff recommends Peerless
11 be relieved of the \$225,000 performance bond or ISDLOC obligation contained in Decision No.
12 70976.

13 5. The Applicant states that in order to release the letter of credit, it is sufficient for the
14 Commission to include in an ordering paragraph language authorizing the Applicant to cancel, rescind,
15 discontinue and be released from the performance bond or ISDLOC required by Decision No. 70976.

16 6. Peerless indicates in the Application the letter of credit should be released and
17 returned to the following name and address:

18 Ms. Julie Oost
19 222 S. Riverside Plaza
20 Suite 2730
Chicago, IL 60606

21 CONCLUSIONS OF LAW

22 1. Peerless Network of Arizona, LLC is a public service corporation within the meaning
23 of Article XV of the Arizona Constitution.

24 2. The Commission has jurisdiction over Peerless Network of Arizona, LLC and the
25 subject matter in this filing.

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1 3. The Commission, having reviewed the filing and Staff's Memorandum dated
2 November 25, 2014, concludes that it is in the public interest to approve the Peerless Network of
3 Arizona, LLC Application as proposed and discussed herein.

4 ORDER

5 IT IS THEREFORE ORDERED that the Application of Peerless Network of Arizona, LLC
6 to terminate the performance bond or irrevocable sight draft letter of credit requirement contained in
7 Decision No. 70976 be and hereby is approved.

8 IT IS FURTHER ORDERED that Peerless Network of Arizona, LLC may cancel, rescind,
9 discontinue and be released from any performance bond, irrevocable sight draft letter of credit or
10 other instrument obtained in compliance with the performance bond or irrevocable sight draft letter
11 of credit requirements set by Decision No. 70976 which includes Peerless Network's \$25,000 Local
12 Exchange Reseller, \$100,000 Facility-Based Long Distance Provider and \$100,000 Facility-Based
13 Provider of Local Exchange performance bonds.

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1 IT IS FURTHER ORDERED that any performance bond on file with the Commission on
2 behalf of Peerless Network of Arizona, LLC be returned to the following name and address provided
3 by the Applicant:


4 Ms. Julie Oost
5 222 S. Riverside Plaza
6 Suite 2730
7 Chicago, IL 60606

8 IT IS FURTHER ORDERED that this Decision shall become effective immediately.

9 **BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION**

10 
11 CHAIRMAN

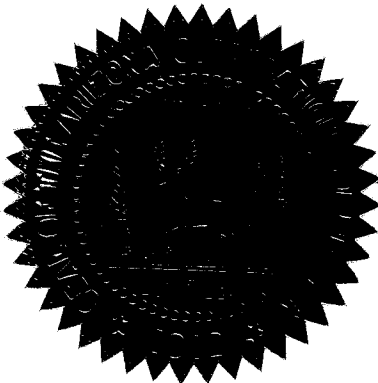
10 
11 COMMISSIONER

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15 IN WITNESS WHEREOF, I, JODI JERICH, Executive
16 Director of the Arizona Corporation Commission, have
17 hereunto, set my hand and caused the official seal of this
18 Commission to be affixed at the Capitol, in the City of
19 Phoenix, this 18th day of December, 2014.



18 
19 JODI JERICH
20 EXECUTIVE DIRECTOR

21
22 DISSENT: _____

23 DISSENT: _____

24 SMO:MAC:sms\BH
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1 SERVICE LIST FOR: Peerless Network of Arizona, LLC
2 DOCKET NO. T-20756A-14-0266

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